UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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MIKHEIL BERUASHVILI,

Plaintiff,

ORDER OF DISMISSAL

- against -

CV 05-1646 (ENV) (MDG)

HOBART CORPORATION, et al.,

Defendants.

- - - - - - - - X

The parties having reached an agreement to settle this action which they stated on the record before Magistrate Judge Marilyn D. Go on January 24, 2011, and no party being an infant or incompetent, it is hereby

ORDERED, that this action, including the third party action, is discontinued with prejudice and without costs to any party, but with leave to re-open if the settlement agreement is not consummated and application for reinstatement is made within one hundred days of the date of this Order.

The Clerk is directed to close this case for administrative purposes.

Dated: Brooklyn, New York January 25, 2011

ERIC N. VITALIANO

UNITED STATES DISTRICT JUDGE